

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DONALD LEE WELSH, JR.,	:	CIVIL ACTION NO. 1:12-cv-1640
	:	
Plaintiff	:	(Judge Kane)
	:	(Magistrate Judge Mehalchick)
v.	:	
	:	
LEBANON COUNTY PRISON, <u>et al.</u>,	:	
Defendants	:	

ORDER

Before the Court in the above-captioned action is the June 30, 2016 Report and Recommendation of Magistrate Judge Mehalchick. (Doc. No. 111) No timely objections have been filed. **ACCORDINGLY**, on this 20th day of July, 2016, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation (Doc. No. 111) of Magistrate Judge Mehalchick;
- 2) Defendant Rolando Ponce's motion for summary judgment (Doc. 102), is **GRANTED**;
- 3) Defendant Rolando Ponce is dismissed with prejudice from the above-captioned case;
- 4) Plaintiff's request for a trial (Doc. 109), is **DENIED AS MOOT**; and
- 5) The case is referred back to Magistrate Judge Mehalchick for further pretrial management.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court